

**New Shoreham Town Council Meeting
Town Hall, Old Town Road, Block Island
Wednesday, February 17, 2010
7:00 p.m.**

Present: First Warden Kimberley H. Gaffett, Second Warden Raymond J. Torrey, Town Councilor Peter B. Baute, Town Councilor Kenneth C. Lacoste and Councilor Richard P. Martin. Also present was Town Manager Nancy O. Dodge. Town Clerk Fiona Fitzpatrick took the minutes of the meeting.

First Warden Kimberley H. Gaffett called the meeting to order at 7:00 p.m.

Warden's Report: First Warden Gaffett reported.

- The CDBG grant application process has started. There was an informational meeting today at noon. Applications are due to the Town on March 9, they will be reviewed by the Planning Board March 10. Public comment on the applications will be taken at a meeting on March 12. The Town Council will be acting to prioritize the applications on March 17, 2010.
- The budget process for Fiscal Year 2011 has begun. The Town Council will receive the budget March 1, there will be a budget work session on March 3, 2010 at 4:00 p.m., and another, if necessary, on March 31, 2010. The Council will hold the budget public hearing and adopt the budget on April 5, 2010. Voters will act on the budget at Financial Town Meeting on May 3, 2010.
- Statewide Planning notified the Town that a law enacted in November, 2009 "tolled" permit approvals of DEM, CRMC, and local Planning and Zoning Boards from November 9, 2009 to June 30, 2010. Those approvals will remain in place, and aging calendars will be suspended from November 9 through June 30, 2011
- A free lecture series will be presented by the Ocean SAMP people: On March 4 in Bristol, Peter Paton will discuss how the proposed offshore wind farm affect bird species in Rhode Island. On March 29 in West Warwick, David Beutel will discuss the progress of the SAMP, with special attention to aspects related to recreational fishing; on April 8 in Warwick, marine archaeologist Rod Mather will describe underwater archaeological sites close to Block Island and the work that his team has been doing as part of the R.I. Ocean SAMP. Ms. Gaffett said the group is planning a lecture on Block Island which has not yet been scheduled.

Councilor Lacoste reported Operation Clean Government plans a one-day seminar on March 6 in Quonset for those who are planning to run for office.

Second Warden Torrey attended the Congress of Councils last Thursday; a gathering of South County Councils and Planners. The main topic was how towns can save money through regionalization. Participants expressed concern over the loss of local accountability. It appears the best source of intratown savings may be found in school resources.

Public Input There was no input from the public.

1. Board of License Commissioners Public Hearings:

- Hear and act on application for Transfer of Beverage (Liquor) License: Transfer from B.I.R.I. Corp. Stockholder: Mike Finnimore, d.b.a. Captain Nick's BI Tavern, Ocean Avenue, Plat 6, Lot 3-1 to On-Island Entertainment Management, Inc., Stockholder: Mark Scortino d.b.a. Captain Nick's, Ocean Avenue, Plat 6, Lot 3-1.

Chief Carlone, Mike Finnimore and Mark Scortino were present. Mr. Scortino said he is the manager of Captain Nick's and has no plans to change the operation. There were no noise complaints on file. There were no comments or questions from the audience.

Ms. Gaffett moved to approve the transfer of a Class BV liquor license from B.I.R.I Corp. Stockholder: Mike Finnimore, d/b/a Captain Nick's BI Tavern, Ocean Avenue, Plat 6, Lot 3-1 to On-Island Entertainment Management, Inc., Stockholder: Mark Scortino d.b.a. Captain Nick's, Ocean Avenue, Plat 6, Lot 3-1., subject to: Department of Health approval, payment of the liquor license fee, fictitious name certificate filed with the RI Secretary of State, Clearance from Division of Taxation for BIRI, Corp., a RI Retail Sales Permit and notice and advertising fees; permission to remain closed from February 17, 2010 to May 13, 2010, and from November 1, 2010 to November 30, 2010 was granted. Motion seconded by Mr. Torrey.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

- Hear and act on application for new Outdoor Entertainment License for Mark Scortino, d.b.a. Captain Nicks, Plat 6, Lot 3-1, Ocean Avenue

Mr. Scortino applied for a license for bands and acoustic acts to perform on the northwest corner of Captain Nick's deck. There were no questions or comments.

Mr. Martin moved to grant an Outdoor Entertainment License to Mark Scortino, d.b.a. Captain Nicks, in accordance with the application on file, and pending receipt of notice and advertising fees, seconded by Dr. Baute.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

Mr. Lacoste noted outdoor entertainment licenses are held by Pizza Plus and the Albion Pub, in close proximity to Captain Nick's. He hopes the licensees will work together for their mutual benefit.

2. Act on Receive and act on TNS Police Department monthly report: January 2010
Chief Carlone was present. Second Warden Torrey asked about the high number of acknowledged alarms, 673 this year compared with 186 last January. They are due to power fluctuations caused by the month's very active weather conditions.

In response to a question, the Chief said he was still investigating the cemetery vandalism. (Roger Shawn's repairs have been delayed due to the inclement weather.)

Ms. Gaffett moved to accept the report of January, 2010, seconded by Dr. Baute.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

3. Act on request of BI Health Services to renovate the "Davidson House"
The Davidson House is owned by the Town, and is in the third year of a five year lease to Block Island Health Services. The BIHS Board proposes to finance and construct improvements to the Davidson House. Executive Director Monte Stover presented conceptual plans. The three bedroom, two bathroom house has a cinderblock foundation, a dirt floor crawl space, and a summer porch. Renovations will winterize the porch for additional first floor living space, and create a second floor master bedroom suite from one existing bathroom and two bedrooms. The living room will have a sleeping alcove and curtain in lieu of the third bedroom. A preliminary energy audit recommended removing the chimney.

Mr. Stover said BIHS hopes to finish the project within two months. The construction work was bid between \$36,000 and \$37,000, plus add-ons. The Town carries insurance on the property, BIHS's contractors will carry construction insurance. Dr. Mann will stay in the apartment in the Doctor's House during construction. Mr. Stover said BIHS plans to establish a Medical Center Zone, sell the Thomas property (in part to repay the loan for the Davidson House improvements) and build another Doctor's house.

First Warden Gaffett asked who would be responsible to finish the project if construction brought unforeseen problems to light. She asked the Town Manager to prepare a contract which protects the Town and works out the contracting logistics with the Medical Center.

Mr. Lacoste moved to approve the request of BIHS to renovate Davidson House as per the plan and presentation this evening, seconded by Mr. Torrey.

Ayes: 4 (Gaffett, Torrey, Lacoste, Martin) Nays: 0 Recuse: 1 (Baute)

4. Receive Block Island Rescue Squad Annual Report: 2009

Ms. Gaffett moved to accept the 2009 report of the Block Island Rescue Squad, seconded by Second Warden Torrey.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

5. Receive letter of resignation from Scott Comings re: Recreation Board

Ms. Gaffett moved to accept Mr. Coming's resignation and a send a letter of thanks. Motion was seconded by Mr. Torrey.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

6. Board, Committee and Commission appointments:

- Board of Canvassers

First Warden Gaffett moved to reappoint alternates Lisa Nolan and Margaret Montgomery to the New Shoreham Board of Canvassers for one-year terms expiring in March, 2011. Mr. Lacoste seconded the motion.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

- CRMC Representative

In the absence of a sitting member of the Coastal Resources Management Council representing Block Island, the Town may appoint a representative to act on contested cases affecting New Shoreham. A brief discussion ensued.

Ms. Gaffett moved to appoint Michael Ballard as Town's CRMC representative, seconded by Dr. Baute.

Ayes: 3 (Gaffett, Torrey, Baute)

Nays: 2 (Lacoste, Martin)

- Harbors Committee

The Harbors Committee requested alternate member Robert Littlefield be appointed to the position left vacant by Ed Northrup's retirement.

Dr. Baute moved to appoint Robert Littlefield a full member of the Harbors Committee, seconded by Mr. Torrey.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

- Harbormaster Review Committee

Advertising for Harbormaster will start this Friday. Applications will close March 9, 2010. The Council will appoint on April 5, 2010.

A discussion about the Harbormaster Review Committee ensued. The HRC will probably be a five member group assisting the Town Manager in screening Harbormaster applicants. They may create criteria with which to measure applications, create interview questions and sit in on interviews. Mr. Lacoste will sit on the screening committee to create criteria and interview questions, and recuse from the Harbormaster selection process. The screening committee may include a knowledgeable member of the public and representatives from the Harbors Committee and Shellfish Commission. The Council will continue the discussion and appoint members at their March 3 work session.

- Island Energy Plan Committee

First Warden Gaffett moved to appoint additional members to the Island Energy Plan Committee, to serve through December 2010: Kevin Hoyt, Neil Lang, Barbara MacMullan, and Russell Littlefield. The motion was seconded by Dr. Baute.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

7. Update on the Old Harbor Dock project

Town Manager Dodge reported the Town did not receive a Federal TIGER grant for the project. She is working to amend the agreement with Narragansett Dock Works for a contract extension and to 'button up' the project with necessary plumbing and electrical work, and to patch the dock before summer. Attorney Steve Merolla researched past owners and operators of the fuel pumps. Progress has been made on a plan to be submitted to the DEM regarding containment of the contamination. Judge Thompson has not yet ruled on the Interstate Nav triangle, which is holding up a final settlement with the Town's disputed land in the area.

8. Update on PUC Docket 4111

The Town Manager reported a prehearing conference is scheduled for February 23, and hearings are scheduled for March 9, 10 and 11 on power the purchase agreement. The Town Manager is working to get the hearings televised at the School. Deepwater is moving ahead with their proposal for landfall on Block Island. ISO New England application was filed.

9. Receive communication from Interstate Navigation re: 2010 Block Island Hi-Speed Ferry Schedule

Town Manager Nancy Dodge reported the Hi-Speed Ferry schedule is basically the same as last year, including one week of trips into New Harbor for Race Week. A commuter ticket is not being considered at this time. Town Manager Dodge or the First Warden will notify Interstate Navigation's Attorney McElroy that the Council does not have any concerns at this time.

10. Approval of Minutes: December 16, 2009 (closed), January 20, 2010 (closed), January 21, 2010 (closed), February 1, 2010, February 3, 2010

Ms. Gaffett moved to approve the minutes with changes, seconded by Mr. Martin.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

Ms. Gaffett moved to unseal portions of the December 16, 2009 minutes pertaining to the PUC and Land Purchase only, seconded by Dr. Baute.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

11. Review upcoming meeting schedule

In addition to regularly scheduled meetings, the Council will meet February 24 to discuss issues related to the alarm system, February 25 for the Town Manager's evaluation, March 22 with the Shellfish Commission and March 26 with Representative Walsh and Senator Sosnowski.

At 8:50, a motion to adjourn was made by Mr. Torrey and seconded by Dr. Baute.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

Minutes approved March 1, 2010:

Fiona Fitzpatrick,
Town Clerk